

LAND RECLAMATION COMMISSION

STATE OF MISSOURI

P.O. BOX 176

JEFFERSON CITY, MISSOURI 65102

573-751-4041

Permit To Engage in Surface Mining

LAND RECLAMATION COMMISSION

ISSUES TO
JESS VOGLER

Pursuant to "The Land Reclamation Act," RSMo, 2001, and on conformity with the statements

In the application, a permit is hereby granted to engage in surface mining of

sand & gravel in the state of Missouri. The extent of the

Proposed mining operation(s) will be on three acres, more or less.

The locations of the operation(s) under this permit is/are as follows: Expansion

County	Section	Township	Range	Acres Renewed	Acres New	Total Acres	Site/Stream Name	Site Number
Benton	10	41N	21W	0	3	3	Site #3	2053

This permit may be suspended or revoked upon violation of any or all of the conditions set forth in "The Land Reclamation Act," RSMo. 2001, or in such rules and regulations as are promulgated pursuant thereto by the Land Reclamation Commission.

IN WITNESS WHEREOF I have hereunto set my hand this 8th day of July 2004


DIRECTOR OF STAFF
Land Reclamation Commission

Permit No. 0707 A-1

Effective Date 07/08/2004

Expiration Date 01/08/2005

MO 780-1122 (6-95)



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION

RECEIVED

PERMIT APPLICATION FOR INDUSTRIAL MINERAL MINES

JAN 16 2004

P.O. BOX 176
JEFFERSON CITY, MO 65102-0176

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL JESS VOGLER		MISSOURI LAND RECLAMATION COMMISSION 1-16-04	
ADDRESS RT 3	CITY LINCOLN	STATE MO.	ZIP CODE 65338
CONTACT PERSON JESS VOGLER		TELEPHONE NUMBER 660-668-4642	
Check any that apply: <input type="checkbox"/> New Permit <input type="checkbox"/> Permit Amendment <input type="checkbox"/> Permit Revision <input checked="" type="checkbox"/> Permit Expansion			
SITE NAME OR NUMBER		ACREAGE	LOCATION: COUNTY, SECTION, TOWNSHIP, RANGE (East or West)
1. Site #3		3	S-107 T-41N, R-21W
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			
ATTACH ADDITIONAL SHEETS IF NECESSARY			
SIGNATURE OF APPLICANT Jess Vogler		TITLE owner	DATE 1-16-04
Appeared before me this 16th day of January , 2004 Jess Vogler to me personally known, who executed the above as their free acts and deeds			
NOTARY PUBLIC EMBOSSER SEAL	STATE Missouri	COUNTY (OR CITY OF ST. LOUIS) Cole	
	SUBSCRIBED AND SWORN BEFORE ME, THIS 16th DAY OF January , 2004		USE RUBBER STAMP IN CLEAR AREA BELOW
	NOTARY PUBLIC SIGNATURE Shirley L. Grantham	MY COMMISSION EXPIRES 2/7/2007	
NOTARY PUBLIC NAME (TYPED OR PRINTED) Shirley L. Grantham		RILEY L. GRANTHAM PUBLIC STATE OF MISSOURI COUNTY OF COLE MY COMMISSION EXPIRES: FEBRUARY 7, 2007	
FOR DEPARTMENT USE ONLY: APPROVED BY Michael J. Shuck	DATE APPROVED 7/6/04	PERMIT NUMBER 0707	EXPIRATION DATE 1/8/05

ATTACH FEES AND BONDING WORKSHEET.

PERMIT APPLICATION FOR INDUSTRIAL MINERAL MINES

FEES AND BONDING WORKSHEET

RECFIVED

JAN 16 2004

MISSOURI LAND
RECLAMATION COMMISSION

P.O. BOX 176
JEFFERSON CITY, MO 65102-0176

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL <div style="font-size: 1.2em; font-family: cursive;">JESS VOGLER</div>		DATE 1-16-04
FEEES: COMPLETE SECTION I OR SECTION II		
SECTION I. FEES: Open pit operators and those mining more than five thousand (5,000) tons of sand and/or gravel:		
1. To compute the site fee complete the columns and lines below:		
List SITE NAME OR NUMBER (Add a separate sheet for additional sites.)	Mark each month that the site will be operated during the Permit Year	For sites operated less than six (6) months per permit year pay \$150.00 For sites operated six (6) months or more per permit year pay \$300.00
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
TOTAL SITE FEE		→ \$
2. Acreage fee: \$5 X _____ number of acres bonded ----- \$		
3. Annual permit fee: ----- \$ <u>500.00</u>		
4. Total Fee: Add Totals from 1, 2, and 3 ----- \$		
NOTE: If Total Fee exceeds \$2,500.00 then pay only----- \$ <u>2,500.00</u>		
SECTION II. FEES: Sand and/or gravel operators mining less than five thousand (5,000) tons per year:		
1. Annual permit fee: ----- \$ <u>300.00</u>		
III. BONDING – for all EXCEPT In-Stream mine sites:		
A. For sand and gravel operators mining less than five thousand (5,000) tons/year: Number of new acres <u>3</u> X \$500/acre ----- \$ <u>1,500</u>		
B. For <u>ALL</u> other open pit operations: Minimum per permit ----- \$ <u>8,000.00</u>		
Acreage over 8 acres _____ X \$500/acre ----- \$		
TOTAL BONDING REQUIRED ----- \$		
<input type="checkbox"/> Check here if adequate bonding is already posted.		



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
SITE INFORMATION FORM

RECEIVED

JAN 16 2004

MISSOURI LAND
RECLAMATION COMMISSION

To be completed for each separate area of disturbance associated with mining operations.

SITE NAME OR NUMBER <u>3</u>		PERMIT NUMBER <u>707</u>	
COMPANY NAME <u>JESS VOGLER</u>			
COUNTY <u>BENTON</u>	1/4 SECTION	SECTION <u>10</u>	
TOWNSHIP <u>41 N</u>	RANGE <u>21 W</u>	ACRES <u>3</u>	
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) <u>COLE CAMP CREEK</u>			
MINERAL COMMODITY <u>SAND & GRAVEL</u>		ESTIMATED TONS/YEAR (FOR GRAVEL SITES) <u>3000</u>	

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) <u>JESS VOGLER</u>		
ADDRESS <u>RT 3</u>		
CITY <u>LINCOLN</u>	STATE <u>MO.</u>	ZIP CODE <u>65338</u>
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input checked="" type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE): _____		DATE OF AGREEMENT
<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT		

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE) <u>SAME</u>		
ADDRESS		
CITY	STATE	ZIP CODE
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE): _____		DATE OF AGREEMENT
<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT		
NOTE: Each site must be shown on a map and be included in a public notice and an approved mine plan.		



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
MINE PLAN

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JAN 16 2004

MISSOURI LAND
RECLAMATION COMMISSION

P.O. BOX 176
JEFFERSON CITY, MO 65102-0176

TYPE OF PLAN (CHECK ONE):

☐ SHORT TERM, FOR ONE PERMIT YEAR

COMPANY NAME JESS VOLGER

☒ LONG TERM, FOR PERIOD THROUGH DATE:

DESCRIPTION OF SITE PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING SOIL, VEGETATION AND TOPOGRAPHY.

SOLIA GRAVEL BANK
WITH LEAF MULCH ON TOP

OPERATION PLAN - 10 CSR 40-10.020(2)(D)1.

A. TOPSOIL

AVERAGE DEPTH OF TOSPOIL, PRIOR TO LAND RECLAMATION COMMISSION PERMITTING

IS TOPSOIL TO BE SOLD OR DISCARDED OFFSITE?

2-4 INCHES

☐ YES OR ☒ NO

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL REMOVAL

BACKHOE OR RUBBER TIRE LOADER
TO REMOVE TOP 4" OF MAT.
AND WINDROW FOR REPLACEMENT

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL

PLACED IMMEDIATELY ON RECLAM AREA

B. SPOIL**RECEIVED**

DESCRIBE METHODS AND LOCATION OF SPOIL PLACEMENT AND DISPOSAL

JAN 16 2004

MISSOURI LAND
RECLAMATION COMMISSION

USE FOR MINED AREA

C. ACID MATERIALS

DESCRIBE METHODS AND EQUIPMENT USED FOR HANDLING ACID MATERIALS

(SEE BELOW)

NONE

D. PIT INFORMATION (GIVE ALL DIMENSIONS IN FEET)

DESCRIBE LOCATION AND ORIENTATION OF PIT, IF NOT CLEAR ON SITE MAPS

SEE MAP

YES**NO**☐☒

Will any excavation be at or within fifty feet (50') of the right-of-way of any public road?

☐☒

Will any highwall consisting of unconsolidated materials be left within fifty feet of the right-of-way of any public road? (NOTE: For unconsolidated materials left in place, a slope of no more than forty degrees may start near the right-of-way, and in no case may the excavation be closer to the right-of-way than fifty feet or twenty-five feet plus one and one-half ($1 \frac{1}{2}$) times the depth of unconsolidated material, whichever is greater, unless a variance is granted by the Commission.)

☐☒

Will any excavation start at or within fifty feet (50') of any property line?
(NOTE: If the answer is "YES", a safety barrier may be needed.)

JAN 16 2004

A. RECLAMATION PLAN - 10 CSR 40-10.020(2)(D)2.

MISSOURI LAND

REVEGETATION (Attach additional sheets, if needed)

REVEGETATION MIX #1

PURPOSE OR LAND USE

SEEDING OR PLANTING TIME

FESCUE LES.

WILD LIFE

SPRING - SUMMER

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

HAND SEEDING
HAND PLANTING

Lime and fertilizer will be applied according to recommendations based upon soil test analyses from a qualified soils lab. Mulch will be applied to all slopes exceeding 5:1.

SEEDED SPECIES	POUNDS / ACRE	TREE OR SHRUB SPECIES	STEMS / ACRE
FESCUE LES.	25# 20#	WILLOW	200

REVEGETATION MIX #2

PURPOSE OR LAND USE

SEEDING OR PLANTING TIME

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

Lime and fertilizer will be applied according to recommendations based upon soil test analyses from a qualified soils lab. Mulch will be applied to all slopes exceeding 5:1.

SEEDED SPECIES	POUNDS / ACRE	TREE OR SHRUB SPECIES	STEMS / ACRE

ATTACH ADDITIONAL SHEETS FOR ADDITIONAL SEED MIXES.

B. GRADING

DESCRIBE PROPOSED RECLAIMED TOPOGRAPHY, INCLUDING SLOPES

3-1

MISSOURI LAND
RECLAMATION COMMISSION

C. DESCRIBE THE GENERAL SEQUENCE AND TIMING OF THE FOLLOWING ACTIVITIES

GRADING

ALL GRADING SAME DAY

REPLACEMENT OF TOPSOIL

SAME DAY AS GRADING

REVEGETATION

WITH IN 30 DAYS OF GRADING

AVERAGE DEPTH OF REPLACED TOPSOIL (INCHES)

2-4

D. USE OF LAND WHEN RECLAIMED

Estimate acreage of each land use below, after reclamation

ESTIMATED ACRES:

Wildlife (forest or other habitat with livestock excluded)

3 ACRES

Agriculture (pasture, cropland, and horticultural)

Development (residential, industrial and recreational)

Water impoundments (for wildlife, agriculture, or development)

RECEIVED

JAN 16 2004

MISSOURI LAND
RECLAMATION COMMISSION

By my signature, I attest to the following:

1. All statements made on this Mine Plan Form are correct, complete, and true, to the best of my knowledge.
2. I or the company I am authorized to represent intends to mine in accordance with this Mine Plan Form, and in accordance with the Missouri Land Reclamation Act, Sections 444.760 through 444.790, RSMO 2001, and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
3. I have obtained the approval of all landowner's, (for all lease agreements made after August 28, 1990 on leased land) for all proposed post-mining land uses.
4. I have obtained the approval of all landowner's, (for all lease agreements made after August 28, 1990 on leased land) for all proposed seed mixtures.
5. I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and authorized representatives, and I grant such access, and further where I have no such right, I have attached signed affidavits from the landowners, granting such access.

SIGNATURE OF APPLICANT <i>Jess Vogles</i>		TITLE <i>owner</i>	DATE <i>1-16-04</i>
NOTARY PUBLIC EMBOSSER SEAL	STATE <i>Missouri</i>		COUNTY (OR CITY OF ST. LOUIS) <i>Cole</i>
	SUBSCRIBED AND SWORN BEFORE ME, THIS <i>16th</i> DAY OF <i>January</i> 20 <i>04</i>		USE RUBBER STAMP IN CLEAR AREA BELOW SHIRLEY L. GRANTHAM NOTARY PUBLIC STATE OF MISSOURI COUNTY OF COLE MY COMMISSION EXPIRES FEBRUARY 7, 2007
	NOTARY PUBLIC SIGNATURE <i>Shirley L. Grantham</i>	MY COMMISSION EXPIRES <i>2/7/2007</i>	
	NOTARY PUBLIC NAME (TYPED OR PRINTED) <i>Shirley L. Grantham</i>		
FOR DEPARTMENT USE ONLY: APPROVED BY <i>Michael J. Muehl</i>		DATE APPROVED <i>7/6/04</i>	PERMIT NUMBER <i>C707</i>



Operator: Jess Vogler

Permit #: 0707

Site: #2³ (Cole Camp Creek) Site #3

Benton County, S-10, T-41N, R-21W

Detail Map

Land Use: 3A Wildlife

Prepared by:

Date:

JESS VOGLER

1-16-04

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JAN 16 2004

MISSOURI LAND
RECLAMATION COMMISSION

2609
T-11856

891
T-831

MR. NOTT
VOGLER

PRIVATE
ACCESS RD

914
T-836

TO STATE
RD. H

COUNTY
RD 172

PRIVATE
ACCESS RD

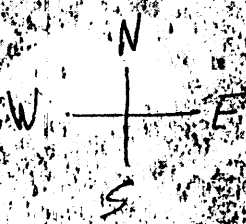
MO. R. BARBARA
FLOW

VOGLER
AGIN

848
T-688 BRIDGE

COLE CAMP CREEK

MAP A



RECEIVED
DEC 23 1995

MISSOURI LAND
RECLAMATION COMMISSION

Jess Vogler
Benton County

BENTON MAP 17 M: 1 2 3 4 5 6 NOT TO SCALE
TOWNSHIP 41 N RANGE 21 W SEC 10
prepared by:
Jess Vogler 12/95

LAND RECLAMATION COMMISSION
STATE OF MISSOURI

P.O. BOX 176
JEFFERSON CITY, MISSOURI 65102
573-751-4041

Permit To Engage in Surface Mining

LAND RECLAMATION COMMISSION

ISSUES TO

JESS VOGLER

Pursuant to "The Land Reclamation Act," RSMo, 2001, and on conformity with the statements

In the application, a permit is hereby granted to engage in surface mining of
sand & gravel in the state of Missouri. The extent of the

Proposed mining operation(s) will be on five acres, more or less.

The locations of the operation(s) under this permit is/are as follows: Renewal

County	Section	Township	Range	Acres Renewed	Acres New	Total Acres	Site/Stream Name	Site Number
Benton	10	41N	21W	5	0	5	Site #1/Cole Camp Creek	0670

This permit may be suspended or revoked upon violation of any or all of the conditions set forth in "The Land Reclamation Act," RSMo, 2001, or in such rules and regulations as are promulgated pursuant thereto by the Land Reclamation Commission.

IN WITNESS WHEREOF I have hereunto set my hand this 5th day of February 2004


DIRECTOR OF STAFF
Land Reclamation Commission

Permit No. 0707

Effective Date 02/05/2004

Expiration Date 01/08/2005

MO 780-1122 (6-95)

RECEIVED

JAN 16 2004



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
PERMIT RENEWAL FOR INDUSTRIAL MINERAL MINES

MISSOURI LAND

P.O. BOX 176
JEFFERSON CITY, MO 65102-0176

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL JESS VOGLER		DATE 1-16-04	
ADDRESS RT 3	CITY LINCOLN	STATE MO	ZIP CODE 65338
CONTACT PERSON JESS VOGLER		TELEPHONE NUMBER 800-547-3124	

FEES: COMPLETE SECTION I OR SECTION II**SECTION I. Fees: Open pit operators and those mining more than 5,000 tons of sand and/or gravel:****1. To compute the site fee complete the information below:**

SITE NAME OR NUMBER (add a separate sheet for additional sites)	Mark each month that the site will be operated during the permit year	For sites operated less than six months per permit year pay \$150 For sites operated six months or more per permit year pay \$300
1. Site #1 / Cole Camp Creek	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
2.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
3.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
4.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
5.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
6.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
7.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
8.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
9.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
10.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
TOTAL SITE FEE		\$

2. Acreage Fee \$5 X _____ **number of acres bonded**\$**3. Annual Permit Fee**\$ 500**4. Total Fee (Add totals from 1, 2 and 3)**\$**NOTE: If Total Fee exceeds \$2,500.00 then pay only**\$ 2,500**SECTION II. FEES: Sand or gravel operators mining less than 5,000 tons per year:****1. Annual Permit Fee**\$ 300

SIGNATURE OF APPLICANT Jess Vogler		TITLE owner	DATE 1-16-04
Appeared before me this 16th day of January , 20 04 . Jess Vogler to me personally known, who executed the above as their free acts and deeds.			
NOTARY PUBLIC EMBOSSEER SEAL	STATE OF Missouri	COUNTY (OR CITY OF ST. LOUIS) Cole	
	SUBSCRIBED AND SWORN BEFORE ME, THIS 16th DAY OF January YEAR 2004	USE RUBBER STAMP IN CLEAR AREA BELOW.	
	NOTARY PUBLIC SIGNATURE Shirley L. Grantham (NOTARY PUBLIC NAME, TYPED OR PRINTED)		
FOR DEPARTMENT USE ONLY: APPROVED BY Michael Y. G. Hull		DATE APPROVED 2-2-04	PERMIT NUMBER 0707
		EXPIRATION DATE 1-08-05	



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
SITE INFORMATION FORM

RECEIVED
DEC 26 1996
MISSOURI LAND
RECLAMATION COMMISSION

To be completed for each separate area of disturbance associated with mining operations.

SITE NAME OR NUMBER <u>COLE CAMP CREEK SITE #1</u>		PERMIT NUMBER <u>707</u>
COMPANY NAME <u>JESS VOGLER</u>		
COUNTY <u>BENTON</u>	1/4 SECTION	SECTION <u>10</u>
TOWNSHIP <u>41 N</u>	RANGE <u>21 W</u>	ACRES <u>5</u>
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) <u>COLE CAMP CREEK</u>		
MINERAL COMMODITY <u>CREEK SAND & GRAVEL</u>		ESTIMATED TONS/YEAR (FOR GRAVEL SITES) <u>LESS THAN 5,000 TONS</u>

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) <u>JESS VOGLER</u>		
ADDRESS <u>RT 3 BOX 3389</u>		
CITY <u>LINCOLN</u>	STATE <u>MO.</u>	ZIP CODE <u>65338</u>
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input checked="" type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE): _____		DATE OF AGREEMENT <u>1963</u>
<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT		

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE) <u>JESS VOGLER</u>		
ADDRESS <u>RT. 3 BOX 3389</u>		
CITY <u>LINCOLN</u>	STATE <u>MO.</u>	ZIP CODE <u>65338</u>
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input checked="" type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE): _____		DATE OF AGREEMENT <u>1963</u>
<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT		

NOTE: Each site must be shown on a map and be included in a public notice and an approved mine plan.



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION

STREAM PROTECTION PLAN - 10 CSR 40-10.020(2)(D)3

(Required for in-stream sites, or as required by the Director)

RECEIVED
DEC 28 1995

TYPE OF PLAN
(CHECK ONE):

☐ SHORT TERM, FOR ONE PERMIT YEAR

☒ LONG TERM, FOR PERIOD THROUGH DATE: 12-23-2009

MISSOURI LAND
RECLAMATION COMMISSION

DESCRIPTION OF STREAM CONDITION PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING BANK CONDITION, BANK VEGETATION AND WATER QUALITY.

The area to be mined involves a $\frac{1}{2}$ mile stretch of Cole Camp Creek north of County Road 172 (See Map A). This section of the creek is bordered by agricultural operations (cropland and pasture). A narrow width of trees borders the west side of the creek for bar #2 and the east side borders a very eroded cropland field with no vegetation. Bar #1 is bordered by a narrow width of trees on the east side and a very eroded pasture area on the west side. Water quality in the creek is good. Photos of the creek are enclosed.

DESCRIBE METHODS USED TO REDUCE DAMAGE TO STREAM BANKS, SUCH AS PROTECTING BANK VEGETATION, IF APPLICABLE.

Excavations between the stream banks will be managed such that water flow is not redirected toward the stream banks. A twenty-five-foot width of gravel will be left undisturbed between the operation and streambank vegetation.

DESCRIBE METHODS USED TO REDUCE DAMAGE TO STREAM ENVIRONMENTS, SUCH AS KEEPING ACTIVE MINING OPERATIONS ON GRAVEL BARS, RATHER THAN IN FLOWING WATER, AND KEEPING HAUL ROADS AWAY FROM FLOWING WATER, IF APPLICABLE.

Gravel removal will be restricted to the exposed portions of gravel (gravel bars). We will shave the tops of the gravel bars to the depth no deeper than the normal water level. This will avoid causing erosion of the streambank and channel at the mining site and upstream (headcutting). Although we must cross the stream to access the gravel for bar #1, we will always cross the creek at the same place.

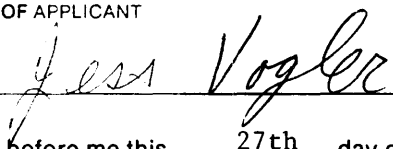
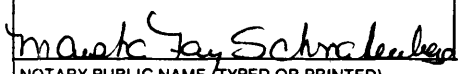
DESCRIBE METHODS USED TO PROTECT WATER QUALITY, SUCH AS INSTALLING EROSION CONTROL DEVICES, IF APPLICABLE.

Gravel removal will be restricted to periods of low flow. A twenty-five-foot strip of gravel will be left undisturbed between the excavation and the streamside vegetation. A buffer strip will also be left between the excavation and the flowing portion of the stream.

RECEIVED
DEC 28 1995
MISSOURI LAND
RECLAMATION COMMISSION

By my signature, I attest to the following:

- 1) All statements made on this Mine Plan Form are correct, complete, and true, to the best of my knowledge.
- 2) I or the company I am authorized to represent intend(s) to mine in accordance with this Plan, and in accordance with the Missouri Land Reclamation Act, Sections 444.760 through 444.789, RSMo (Supp. 1990), and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
- 3) I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no right to grant such access, I have attached signed affidavits from the landowners granting such access.

SIGNATURE OF APPLICANT 		TITLE owner	DATE 12-22-95
Appeared before me this <u>27th</u> day of <u>December</u> , 19 <u>95</u> , <u>Jess Vogler</u> to me personally known, who executed the above as their free acts and deeds.			
NOTARY PUBLIC EMBOSSER SEAL	STATE OF Missouri	COUNTY (OR CITY OF ST. LOUIS) Benton	
	SUBSCRIBED AND SWORN BEFORE ME, THIS <u>27th</u> DAY OF <u>December</u> 19 <u>95</u>		USE RUBBER STAMP IN CLEAR AREA BELOW.
	NOTARY PUBLIC SIGNATURE 	MY COMMISSION EXPIRES 1-10-96	
	NOTARY PUBLIC NAME (TYPED OR PRINTED) Marsha Fay Schnakenberg		
APPROVED BY (DIRECTOR'S REPRESENTATIVE) MEC, P.C.		TITLE	DATE APPROVED 1/8/96

RECEIVED
DEC 28 1995
MISSOURI LAND
RECLAMATION COMMISSION

Attach the following documents to the Stream Protection Plan Form:

- A. Two copies of a map such that the mine can be located, and distinguished from other mines in the area.
- B. Two copies of a more detailed map, prepared on an original or clearly copied USGS 7-1/2 minute topographical map, county assessor map, A.S.C.S. aerial photo, up-to-date county plat, or a different base map with a scale of one inch to six hundred sixty feet (1" = 660') or larger.
 1. At minimum, the detailed map must show the following:
 - a. ownership boundaries, and names of owners of surface and subsurface rights to land within and contiguous to the permit area.
 - b. boundaries and acreage of each permitted site, and of the area to be affected over the term of the mine plan.
 - c. creeks or streams within the proposed permit area.
 - d. date of map preparation, preparer's name and title, north arrow, scale, and section, township and range lines.
 2. The following may be required for clarification:
 - a. abandoned surface mines.
 - b. locations of erosion and sediment control devices.
 - c. structures, and natural or cultural features to be protected.

